

JOY A. SAN BUENAVENTURA 3602
Attorney At Law
A Law Corporation
101 Aupuni Street, Suite 311
Hilo, Hawaii 96720
Telephone: (808) 961-2131

Attorney for George and Tumata Tadeo

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

ALLSTATE INSURANCE,

Plaintiff,

vs.

MARK DANIEL DAVIS, et al.

Defendants.

CIVIL NO. 04-CV-418
SUPPLEMENT TO
INTERVENORS' CONCISE
STATEMENT OF FACTS;
EXHIBIT "A"; CERTIFICATE OF
SERVICE.

Hearing: March 28, 2006

Time: 9:30 a.m.

Judge: Hnr. Alan C. Kay

SUPPLEMENT TO INTERVENORS' CONCISE STATEMENT OF FACTS

Pursuant to Local Rule 56.1(b) of the United States District Court of the District of Hawaii, Intervenors GEORGE and TUMATA TADEO, by and through their attorney, JOY A. SAN BUENAVENTURA, hereby supplement Intervenors' Concise Statement of Facts with the following:

<u>Fact</u>	Evidentiary Support
1. Mark Davis, Jr. was sexually abused by his father.	Deposition of Mark Davis, Jr. page 10. (Exhibit A)
2 Mark Davis Jr. was physically abused and drugged by his father while he lived on the Big Island	Deposition of Mark Davis, Jr. pages 14-15 (Exhibit A)
3. Mark Davis Jr. had access to the marijuana in the Davis house	Deposition of Mark Davis, Jr. page 27 (Exhibit A)
4. Any parent should be able to anticipate that a child, especially a mentally retarded child, may imitate behaviors that the child sees.	Declaration of Harold Hall.
5. A parents' actions impact on a child; and thus, if a parent exposes the child to pornography, especially violent pornography, then a parent should have foreseen sexual violence on young children by Mark Davis, Jr. especially where Mark Davis, Jr. has a history of sexualized, violence-related activities and threatening and intimidating behaviors.	Declaration of Harold Hall

DATED: Hilo, Hawaii, March 10, 2006.

JOY A. SAN BUENAVENTURA
Attorney for Intervenors

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 10, 2006, a true and correct copy of the foregoing was duly served upon the following by delivering in the following manner at their last known address:

Served Electronically by CM/ECF

Richard B. Miller rmiller@tmp-hawaii.com on March 10, 2006

Keith K. Hiraoka khiraoka@rlhlaw.com on March 10, 2006.

Served by U.S. Mail

Ellen Pearl Davis, PO Box 38754, Detroit, MI 48238 on March 10, 2006

DATED: Hilo, Hawaii, March 10, 2006.

JOY A. SAN BUENAVENTURA